



August 7, 2014

Will Humble, Director  
Arizona Department of Health Services  
150 North 18th Avenue  
Phoenix, Arizona 85007

**Re: Complaint Against Planned Parenthood AZ, Inc.**

Dear Mr. Humble:

We represent Arizona citizens, including residents of Tempe, who are concerned about the recent allegations that the Planned Parenthood Arizona facility, 1250 E. Apache Blvd., No. 108, Tempe, AZ violated Arizona's mandatory reporting law relating to sex abuse of a minor.

It is the purpose of this letter to serve as a formal complaint on behalf of our clients and others and to request that, pursuant to the Women's Health Protection Act (HB 2284) which took effect on July 24, 2014, your agency immediately investigate this Planned Parenthood Arizona Tempe facility and all other Planned Parenthood AZ facilities in the State of Arizona.

As you are no doubt aware, the Women's Health Protection Act authorizes your agency to immediately inspect and investigate an abortion facility if there is "reasonable cause" to believe that the abortion facility is not adhering to licensing requirements, or any other Arizona rule or law regarding abortions. Arizona law, specifically A.R.S. § 13-3620, unequivocally requires that Planned Parenthood must immediately report allegations involving the sexual assault on a minor to law enforcement. This statute provides that failure to report such a sexual assault constitutes a class six felony. A failure to report such a serious crime puts Arizona children at risk of continued abuse by the perpetrator – just what happened here.

As you may know, the Pinal County Sheriff's Office has conducted an investigation of Tyler Kost and has reported the identification of eighteen alleged victims in twenty-nine felony count charges being pursued against Mr. Kost. This investigation also revealed the very serious criminal allegation that the Planned Parenthood AZ Tempe facility failed to report the alleged rape of a minor as required by Arizona law because it was too much of a "hassle." Reportedly, after the rape became known to the Planned Parenthood AZ Tempe facility, Mr. Kost then sexually molested at least four additional victims.

According to police reports in the Tyler Kost case, attached hereto, one of the victims named in the Kost indictment went to the Planned Parenthood AZ Tempe facility for an abortion after being impregnated as a result of a sexual assault by Kost. According to the young woman and her mother, they reported the sexual assault to a Planned Parenthood AZ Tempe employee, but



the employee deliberately miscoded the sexual assault to reflect that the pregnancy was a consequence of consensual sex. The young girl and her mother were advised that the Planned Parenthood AZ Tempe facility did not want to undergo the “hassle” of reporting the rape to criminal justice authorities. Furthermore, according to the police report, the Planned Parenthood AZ Tempe employee specifically acknowledged that Planned Parenthood AZ is a mandatory A.R.S. § 13-3620 reporter, thereby demonstrating actual knowledge of that legal obligation and an apparent deliberate violation of an Arizona law intended to protect children from predators.

According to the mother of the victim, the appointments occurred on December 31, 2013, and January 4, 2014. If the required report had been made to authorities on or before January 4, 2014, it appears that at least four other victims could have been spared sexual abuse by Mr. Kost. The criminal indictment, attached hereto, names four other victims of sex abuse that appear to have occurred after January 4, 2014. If a report would have been “immediately” made by Planned Parenthood AZ as required by A.R.S. § 13-3620, a criminal investigation could have been initiated in time to have prevented these additional crimes of sexual abuse. Instead, Planned Parenthood AZ made no required report and Mr. Kost has been charged with victimizing at least four other young girls.

The allegations against Planned Parenthood AZ and its employees are not that it merely remained silent, which is itself a crime. The allegations are that Planned Parenthood deliberately misrepresented sexual abuse on a minor by Mr. Kost by deliberately miscoding a sexual assault as “consensual.” Moreover, because A.R.S. § 36-2161 requires abortion providers to file a report that includes the reason for an abortion, it is reasonable to conclude that this mandatory report form, even if filed, also contained false information.

What happened at the Planned Parenthood AZ Tempe facility is consistent with what is happening at Planned Parenthood facilities across the Nation. There are currently approximately 68 Planned Parenthood Federation of America affiliates in the United States. Like Planned Parenthood AZ, each such affiliate operates abortion facilities in its geographic area.<sup>1</sup> Planned Parenthood Federation of America, an umbrella organization, directs that all the activities, programs, services, and pronouncements of each of its affiliates, including Planned Parenthood AZ.<sup>2</sup> Consequently, issues that arise in Arizona are very likely to emulate other Planned Parenthood affiliates, as evidenced by the number of times Planned Parenthood affiliates have

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<sup>1</sup> See <http://www.plannedparenthood.org/about-us/who-we-are>.

<sup>2</sup> By way of example, it has been reported that Planned Parenthood Federation of America, Inc. (hereinafter “PPFA”) has mandated that all of its affiliates must provide abortions by the end of 2013.

<http://nysrighhttolife.org/planned-parenthood-fast-facts>;

[http://townhall.com/news/religion/2011/01/12/p\\_parenthood\\_affiliates\\_must\\_do\\_abortions](http://townhall.com/news/religion/2011/01/12/p_parenthood_affiliates_must_do_abortions). Pursuant to PPFA’s bylaws, among other things, Planned Parenthood Affiliates must: (a) “conform[] to the purposes, written policies and standards of PPFA”; (b) “develop a program to further those purposes and policies”; (c) “provide services consistent with the purposes of PPFA”; and (d) financially support PPFA.



been caught on tape engaging in outrageous misconduct.<sup>3</sup>

This most recent incident in Tempe is not the only allegation of wrongdoing by Planned Parenthood facilities in Arizona or in other parts of the Nation. Planned Parenthood facilities across the country have repeatedly violated the law and frequently put children at risk. For example, Planned Parenthood facilities are currently teaching and encouraging *young teens* to participate in sado-masochistic sexual activities, including gagging, whipping, asphyxiation, shopping at sex stores (which is illegal for minors), and viewing pornography. Planned Parenthood employees even advised that young women should not say, "Stop," because it really doesn't always *mean* "stop."<sup>4</sup>

Over and over again, in Arizona and across the country, Planned Parenthood facilities stand accused of repeatedly ignoring mandatory reporting laws, inevitably resulting in the continued victimization of young children. Previously, two different Planned Parenthood facilities in Arizona were caught on tape failing to report statutory rape. The Maricopa County District Attorney then in office conducted a criminal investigation but declined to prosecute because the incident did not involve medical staff.<sup>5</sup>

In Ohio, Planned Parenthood allowed a soccer coach who impregnated a 14-year old child to sign off on her abortion without her parents' knowledge or consent. As in the Tempe situation involving Mr. Kost, Planned Parenthood failed to report the sexual abuse of the minor to the required authorities and violated informed consent laws.<sup>6</sup>

In Colorado, Planned Parenthood reportedly failed to inquire about or report the suspected sexual abuse of a 13-year-old child by her stepfather that began when she was only six. When the

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<sup>3</sup> An excellent source of actual video footage from numerous Planned Parenthood facilities in Arizona and around the country can be found on Live Action's website. <http://www.liveaction.org/projects/>.

<sup>4</sup> <http://www.lifenews.com/2014/06/10/shock-video-catches-planned-parenthood-teaching-teens-sm-sex-gagging-whipping-and-asphyxiation/>; <http://liveactionnews.org/new-live-action-video-reveals-more-disturbing-sex-advice-from-planned-parenthood-to-kids/>; <http://www.lifenews.com/2014/07/02/parents-outraged-that-planned-parenthood-encourages-teens-to-have-sm-sex/>; <http://plannedparenthoodexposed.com> This link allows you to see the actual undercover footage from the Littleton and Lakewood, Colorado locations.

<sup>5</sup> <http://www.liveaction.org/monalisa/phoenix-az/>.

<sup>6</sup> <http://www.adfmedia.org/News/PRDetail/4740>; <http://exposeplannedparenthood.net/get-the-facts/planned-parenthood's-history-of-exploiting-women-2/>. Live Action, through its undercover investigations, has repeatedly caught Planned Parenthood employees deliberately ignoring age disparities between young girls and the men who prey on them, or advising the girls not to tell Planned Parenthood the age of the men, or how to circumvent parental notification laws. <http://www.lifesitenews.com/news/vindicated-live-action-busted-indy-planned-parenthood-for-covering-up-statu>. Several videos of these undercover operations can be viewed at: <http://www.liveaction.org/monalisa/>

Will Humble, Director  
Arizona Department of Health Services Complaint  
August 7, 2014

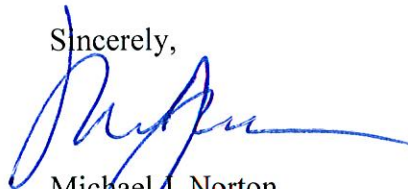
**ALLIANCE DEFENDING FREEDOM**

sexual abuse resulted in the child becoming pregnant at age thirteen, it is reported that the predator took her to a Planned Parenthood facility where an abortion was performed without her mother's knowledge or consent. Allegedly, not a single Planned Parenthood employee asked about the nature of the child's relationship with the predator or why their last names were different, or about potential abuse despite their actual knowledge that the girl was only thirteen and that abuse was evident. After the abortion, Planned Parenthood reportedly sent the child back home with her rapist where she continued to be abused for months.<sup>7</sup>

It is your agency's obligation to thoroughly investigate Planned Parenthood AZ and this and related allegations so as to ensure that Planned Parenthood AZ is held accountable for violations of A.R.S. § 13-3620. In a letter to Arizona Attorney General Tom Horne, attached hereto, Pinal County Sheriff Paul Babeu has also called for a criminal investigation of Planned Parenthood AZ and has offered the assistance of his agency. We understand that Sheriff Babeu possesses the full names, dates of birth, and appropriate contact information of all persons involved in this matter, as well as complete witness statements.

While we are hopeful that you agree that your agency now has, with the enactment of the Women's Health Protection Act, the necessary tools to work with law enforcement to investigate Planned Parenthood regarding this and other extremely serious allegations, if we can be of assistance during your investigation, please do not hesitate to contact us.

Sincerely,



Michael J. Norton  
Natalie L. Decker  
ALLIANCE DEFENDING FREEDOM

Enclosures:  
Tyler Kost Indictment  
Pinal County Sheriff's Letter Requesting Investigation  
Pinal County Sheriff's Office Report

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<sup>7</sup> <http://www.lifenews.com/2014/07/11/planned-parenthood-sued-for-doing-abortion-on-raped-13-year-old-returning-her-to-rapist/>

On 04/17/14 at about 1020 hrs, I contacted [REDACTED] by phone. I updated her on the investigation and conducted an interview with her. [REDACTED] reported the following:

She recalled the evening of Tyler's homecoming dance. She was in the living room when [REDACTED] ran inside crying. [REDACTED] said that she felt sick. Tyler followed her into the house. [REDACTED] ran upstairs, changed her clothes, returned downstairs, and yelled at Tyler to get out of the house. She told Tyler to leave and said that she would talk with [REDACTED] and have her call him later. Tyler left.

After Tyler left, [REDACTED] disclosed what happened. She misunderstood the seriousness of the situation. [REDACTED] made a bad decision before by having sex with a previous boyfriend. She assumed that this was the same sort of situation.

[REDACTED] became pregnant. She accompanied [REDACTED] to her ultrasound on 12/31/13 and [REDACTED] on 01/04/14. These appointments were at the Planned Parenthood in [REDACTED]

[REDACTED] disclosed the assault to a counselor at Planned Parenthood. The counselor intentionally miscoded the assault as a consensual encounter. The counselor told them that they did not want the hassle of having to report the assault to law enforcement as they were a mandatory reporter.

They did not notify Tyler of [REDACTED]

Tyler sent her and her mother a message apologizing, stating that "I'm sorry this happened." Tyler told them of how he planned to take care of [REDACTED] and their baby. She responded back to him stating that [REDACTED] was not pregnant. She would forward these messages to me.

Tyler filed an Order of Protection request against [REDACTED] and [REDACTED]. During a hearing at the Apache Junction JP Court, the Judge refused Tyler's request.

APACHE JUNCTION  
JUSTICE COURT

2014 MAY -5 PM 4:49

JUSTICE COURT OF ARIZONA

NO. 7 PRECINCT, PINAL COUNTY, STATE OF ARIZONA CLERK INITIALS: \_\_\_\_\_

THE STATE OF ARIZONA, )

Plaintiff, )

vs. )

TYLER JAMES KOST, )

Defendant(s). )

No. EC00140040

COMPLAINT

The undersigned, by and through Pinal County Attorney, M. Lando Voyles, hereby makes this complaint of her own knowledge, information, and belief against **TYLER JAMES KOST**, charging that in No. 7 Precinct, Pinal County, Arizona, said defendant committed the crime of:

COUNT 1

Between 10/01/2009 and 11/30/2009, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with H.J., a person under the age of fifteen (15) years, to wit: oral penile (1st time), in defendant's bedroom-same incident as Count 2, in violation of A.R.S. §§13-1405, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, class 2 felony, a Dangerous Crime Against Children, in the first degree.

COUNT 2

Between 10/01/2009 and 11/30/2009, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with H.J., a person under the age of fifteen (15) years, to wit: oral penile (2nd time), in defendant's bedroom-same incident as Count 1, in violation of A.R.S. §§13-1405, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, class 2 felony, a Dangerous Crime Against Children, in the first degree.

COUNT 3

Between 12/01/2009 and 12/31/2009, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with H.J., a person under the age of fifteen (15) years, to wit: manual/vaginal "rubbing clit" (1st time), in defendant's bedroom-same incident as Count 4, in violation of A.R.S. §§13-1405, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, class 2 felony, a Dangerous Crime Against Children, in the first degree.



**COUNT 4**

On or between 12/01/2009 and 12/31/2009, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Child Molestation by intentionally or knowingly engaging in or causing a person, H.J., a child under fifteen (15) years of age, to engage in sexual contact, except sexual contact with the female breast, to wit: manual/vaginal (2<sup>nd</sup> time), in defendant's bedroom-same incident as Count 3, in violation of A.R.S. §§13-1410, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, a class 2 felony, a Dangerous Crime Against Children, first degree.

**COUNT 5**

Between 01/01/2011 and 06/30/2011, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with L.P., a person under the age of fifteen (15) years, to wit: penile/vaginal penetration (1st time) in defendant's bedroom-same incident as Counts 6, 7 and 8, in violation of A.R.S. §§13-1405, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, class 2 felony, a Dangerous Crime Against Children, in the first degree.

**COUNT 6**

Between 01/01/2011 and 06/30/2011, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with L.P., a person under the age of fifteen (15) years, to wit: penile/vaginal penetration (2nd time) in defendant's bedroom-same incident as Counts 5, 7 and 8, in violation of A.R.S. §§13-1405, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, class 2 felony, a Dangerous Crime Against Children, in the first degree.

**COUNT 7**

Between 01/01/2011 and 06/30/2011, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with L.P., a person under the age of fifteen (15) years, to wit: penile/vaginal penetration (3rd time) in defendant's bedroom-same incident as Counts 5, 6 and 8, in violation of A.R.S. §§13-1405, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, class 2 felony, a Dangerous Crime Against Children, in the first degree.

**COUNT 8**

Between 01/01/2011 and 06/30/2011, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with the female breast of L.P., a person under fifteen (15) years of age, to wit: breast fondling-same incident as Counts 5, 6 and 7, in violation of A.R.S. §§13-1404, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, a class 3 felony, a Dangerous Crime Against Children, first degree.

**COUNT 9**

Between 02/01/2012 and 02/29/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with the female breast of R.C., a person under fifteen (15) years of age, to wit: breast fondling, 1st time, in truck while at Little Mexico, in violation of A.R.S. §§13-1404, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, a class 3 felony, a Dangerous Crime Against Children, first degree.

**COUNT 10**

Between 02/01/2012 and 02/29/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with the female breast of R.C., a person under fifteen (15) years of age, to wit: left breast touch, 2nd time, in truck while outside defendant's driveway, in violation of A.R.S. §§13-1404, 13-1401, 13-705, 13-610, 13-702, 13-712, and 13-801, a class 3 felony, a Dangerous Crime Against Children, first degree.

**COUNT 11**

During 10/01/2012 through 10/31/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with K.M., a person fifteen (15) years of age or older, without consent, to wit: digital/vaginal penetration ("fingering"), on couch at victim's house-same incident as Counts 12 and 13, in violation of A.R.S. §§13-1406, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 2 felony.

**COUNT 12**

During 10/01/2012 through 10/31/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with K.M., a person fifteen (15) years of age or older, without consent, to wit: oral/vaginal penetration, on couch at victim's house-same incident as Counts 11 and 13, in violation of A.R.S. §§13-1406, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 2 felony.

**COUNT 13**

During 10/01/2012 through 10/31/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with K.M., a person fifteen (15) or more years of age, without consent, to wit: breast fondling, 1st time, on couch at victim's house-same incident as Counts 11 and 12, in violation of A.R.S. §§13-1404, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 5 felony.



**COUNT 14**

On or about 11/06/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with S.B., a person fifteen (15) or more years of age, without consent, to wit: breast fondling, 1<sup>st</sup> time, on upstairs couch at defendant's house, in violation of A.R.S. §§13-1404(A), 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 5 felony.

**COUNT 15**

On or about 11/06/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with S.B., a person fifteen (15) or more years of age, without consent, to wit: vaginal touch, 1<sup>st</sup> time, on upstairs couch at defendant's house, in violation of A.R.S. §§13-1404(A), 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 5 felony.

**COUNT 16**

On or about 11/06/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with S.B., a person fifteen (15) years of age or older, without consent, to wit: digital/vaginal penetration on upstairs couch at defendant's house, in violation of A.R.S. §§13-1406, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 2 felony.

**COUNT 17**

On or about 11/06/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with S.B., a person fifteen (15) years of age or older, without consent, to wit: penile/vaginal penetration on upstairs couch at defendant's house, in violation of A.R.S. §§13-1406, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 2 felony.

**COUNT 18**

On or about 11/06/2012, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with S.B., a person under the age of eighteen (18) years, to wit: penile/vaginal penetration, downstairs on carpeted floors in the living room of defendant's house, in violation of A.R.S. §§13-1405, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 6 felony.

**COUNT 19**

During 02/01/2013 through 02/28/2013, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with P.R., a person fifteen (15) or more years of age, without consent, to wit: vaginal touch, left at defendant's house, in violation of A.R.S. §§13-1404, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 5 felony.

**COUNT 20**

During 10/01/2013 through 10/31/2013, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with C.B., a person fifteen (15) years of age or older, without consent, to wit: penile/vaginal penetration at park near victim's house, in violation of A.R.S. §§13-1406, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 2 felony.

**COUNT 21**

On or about 02/26/2014, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with T.S., a person fifteen (15) or more years of age, without consent, to wit: breast fondling while in the car's driver seat outside Freddy's Restaurant, in violation of A.R.S. §§13-1404(A), 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 5 felony.

**COUNT 22**

On or about 02/26/2014, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with T.S., a person fifteen (15) or more years of age, without consent, to wit: vaginal touch while in the car's driver seat outside Freddy's Restaurant, in violation of A.R.S. §§13-1404(A), 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 5 felony.

**COUNT 23**

During 03/01/2014 through 03/31/2014, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with M.R., a person fifteen (15) years of age or older, without consent, to wit: penile/vaginal penetration on defendant's bed, in violation of A.R.S. §§13-1406, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 2 felony.



**COUNT 24**

During 03/01/2014 through 03/31/2014, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Abuse by intentionally or knowingly engaging in sexual contact with M.R., a person fifteen (15) or more years of age, without consent, to wit: breast touch, on defendant's bed, in violation of A.R.S. §§13-1404, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 5 felony.

**COUNT 25**

During 03/01/2014 through 04/29/2014, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with J.M., a person fifteen (15) years of age or older, without consent, to wit: penile/vaginal penetration, the last time at the defendant's house, in violation of A.R.S. §§13-1406, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 2 felony.

**COUNT 26**

Between 03/01/2014 and 03/31/2014, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with K.G., a person under the age of eighteen (18) years, to wit: penile/vaginal penetration-incident at Magma Ranch community room supply room, in violation of A.R.S. §§13-1405, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 6 felony.

**COUNT 27**

Between 03/01/2014 and 03/31/2014, in or near San Tan Valley, Arizona, **TYLER JAMES KOST** committed Sexual Conduct with a Minor by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with K.G., a person under the age of eighteen (18) years, to wit: penile/vaginal penetration- incident on mattress in desert area, in violation of A.R.S. §§13-1405, 13-1401, 13-610, 13-701, 13-702, 13-712, and 13-801, a class 6 felony.



Carolina Escalante  
State Bar No. 026233

5/5/14

Date

Investigative Agency: Pinal Co. Sheriff's Office



# Pinal County Sheriff's Office

May 13, 2014

Arizona Attorney General's Office  
Attn: Attorney General Tom Horne  
1275 West Washington Street  
Phoenix, AZ 85007-2926

Re: *Alleged Criminal Violations – Planned Parenthood*

Dear Attorney General Tom Horne

On March 25<sup>th</sup>, 2014 the Pinal County Sheriff's Office began a criminal investigation after a witness disclosed numerous allegations of sexual assault committed by Tyler Kost (*age 18 of San Tan Valley*). The investigation has continued to grow as we have identified a total of 18 victims which have resulted in 29 felony charges being filed.

One of the victims and her mother has made a criminal allegation against the Planned Parenthood in Tempe, Arizona. They have alleged, the victim completed an ultrasound at Planned Parenthood on December 31<sup>st</sup>, 2013 and had an abortion on January 4<sup>th</sup>, 2014. They informed the counselor at the appointment that the pregnancy was the result of a sexual assault. The counselor (*according to the mother and victim*) coded the sexual assault as consensual. The counselor told them she did not want the hassle of having to report the sexual assault to law enforcement as they were a mandatory reporter.

This allegation is documented on page 20 of the attached probable cause statement and booking paperwork related to the Tyler Kost investigation.

I am asking that your office conduct a criminal investigation into this allegation made by the victim and parent. I have directed Lieutenant Tamatha Villar from my office to assist your office with the victims contact information and anything else you may need from our office to investigate this matter. Lt. Villar is in charge of this investigation and can be reached by phone at 520-866-5009 or email at [tamatha.villar@pinalcountyyaz.gov](mailto:tamatha.villar@pinalcountyyaz.gov).

Respectfully,

A handwritten signature in blue ink that reads "Paul R. Babeu".

Paul Babeu, Sheriff  
Pinal County, Arizona

971 Jason Lopez Circle Building C \* P.O. Box 867 \* Florence, AZ 85132  
Main (520) 866-6800 \* Fax (520) 866-5195 \* TDD (520) 868-6810